

FILED

NOV 15 2017

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. _____
)
DANIEL AVETTA)
aka "Jessica Gable,")
)
Defendant.)

4:17CR00525 CDP/NCC

MOTION FOR PRETRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its Attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Colleen C. Lang, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq. Further, the Government asserts:

1) Because of defendant's present charge, there is a presumption that no conditions of bond can ensure the community's safety. The defendant actively sought out minor males on the internet through Facebook while posing as a female named "Jessica Gable." The defendant through his alias enticed the minors to send him child pornographic images of themselves. The defendant had multiple victims as a result of his scheme.

2) Further, the defendant is charged with crimes that carry a rebuttable presumption of detention. Defendant is charged with Receipt of Child Pornography in violation of Title 18, USC, Section 2252(A)(a)(2) and Production of Child Pornography in violation of Title 18, USC, Section 2251(a). Both crimes falls under the following statute regarding detention:

Title 18, U.S.C. Section 3142(e) states that:

Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community if the judicial officer finds that there is probable cause to believe that the person committed an offense...involving a minor victim under section...2251...

Defendant cannot show that there is any condition or combination of conditions that will assure the safety of the community.

WHEREFORE, the Government respectfully requests that the Court order the defendant to be detained pending trial.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

COLLEEN C. LANG, #36872MO
Assistant United States Attorney
111 South 10th Street, Rm. 20.333
St. Louis, Missouri 63102
314-539-2200